

UNITED STATES DEPARTMENT OF COMMERCE

Commissioner of Patents and trademarks

Washington, D.C. 20231

Attention: Steven Brantley, Esquire

RE: 09/233,805 ISOKINETIC PAINT BRUSH HANDLES; yours of 13 May 02

May 20, 2002

1124
RECEIVED

JUN 06 2002

OFFICE OF PETITIONS

Sir:

In an attempt to answer your two questions, "When did petitioner first discover the existence of the Notice of Allowability and that the application was abandoned? Why did petitioner take so long to file a petition to revive?", please consider:

The first question has two parts, which seem to contradict each other "Allowability" and "abandoned". I have no intention to be evasive on this matter, but I do not know how to answer such a question. It appears that you are satisfied with the fact that drawings were submitted to the patent office.

It is my understanding that somehow you believe that Mark Spisich notified me that abandonment had taken place. It was my understanding from Mark Spisich that some loss of my drawing submittal was being remedied and a search was underway within the drafting department and that I would be hearing from the patent office soon. I waited a very long time because I have no idea what the patent office considers a reasonable time.

I firmly believe that Mr. Mark Spisich and myself have done the actions expected of us but some of the confusion may come from the lack of communication with the drafting department. Only through correspondence with yourself have I learned that the drafting received my submittal, suggesting to me that the "lost" had been Found".

Thank you for any clarity you may add to this matter so that I may receive my coveted US Patent; the painting world needs these innovative tools.

Sincerely, AW Learned 

Bxo 164 N. Abington MA 02351; 781-871-7239

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February 1, 2002

Re: RENEWED PETITION UNDER 37 CFR 1.13

SIR:

Thank you for your enlightened telecom today. I have scoured the files and discovered the attached letters in the period that you mentioned, 7AUG00 to 28MAR01, as of concern. Please find one of the letters identified the mailing of "two sheets of the drawings for my patent application", dated Feb 13, 2001. I believe this to be a remailing. The receipt cards indicate two other remailings: March 16 and March 17 of 2001

As is the policy with Mark Spisich, I also respond with paper to all papers received. Therefor cannot understand the "crack" into which this process may have fallen. A remote possible explanation is the agency internal loss of my folder in the transfer between Mark and the Drafting review. (This loss of paper work has happened to me by agency processing on an application 08,736,009 which is being traced by one of your detectives there at the Patent Office. If you can assist this situation, It would be greatly appreciated.)

Another conceivable explanation is that my several moves have lost mailings. Upon query with my prior landlord, I find the dates correspond with his pacemaker operation and he could not be certain of mail delivery forwarding. My new 83-year old landlord has an aging memory so I have used a Box at the post office. My 66-year old memory is sound (to the best of my knowledge).

Though the timing of receipt of the drawing updates to the validator may be late, the validity of the payment of the issuance remains proof that the patent will increase the state of the present art when finally becoming introduced to the general public welfare. I desperately need the patent protection for return on the exhausting investment in design and producibility.

Please do all you can to make the next agency action the granting of my United States Patent. Thank you.

Sincerely

AW Learned III
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